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4   UNITED STATES DISTRICT COURT

5   NORTHERN DISTRICT OF CALIFORNIA

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7   MICHAEL E. DAVIS, et al.,   Case No. 10-cv-03328-RS   (DMR)

                    Plaintiffs,
8

9   v.   **ORDER RE JANUARY 28, 2016
                                                    DISCOVERY HEARING**
10   ELECTRONIC ARTS INC.,

                    Defendant.
11

12   The court has reviewed the parties' November 23, 2015 and December 30, 2015 joint

13   discovery letters, which are set for hearing on January 28, 2016 at 11:00 a.m. By no later than

14   5:00 p.m. on January 26, 2016, Plaintiffs shall submit the definitions of the terms "HISTORICAL

15   NFL PLAYER CHARACTERS" and "CHARACTERISTICS" that they provided in Plaintiffs'

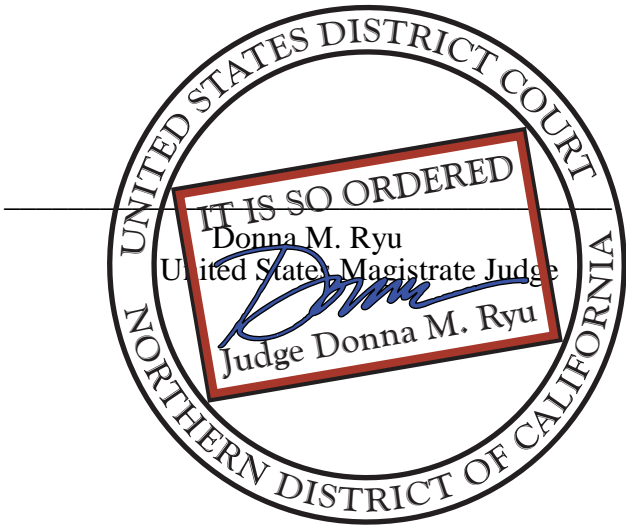16   first set of requests for admission to Defendant.

17   Lead counsel for the parties shall appear at the hearing on January 28, 2016. Following the

18   hearing, lead counsel shall be prepared to meet and confer in the courthouse regarding any and all

19   issues that come up in the hearing, and shall be prepared to devote the entire day, if necessary, to

20   meeting and conferring. In addition, counsel shall come prepared to meet and confer regarding

21   ESI, search terms, and custodians using the District's Guidelines for the Discovery of

22   Electronically Stored Information and Checklist for guidance.

23   Counsel shall also come prepared to discuss a potential stipulation(s) regarding damages.

24   For example, Defendant has requested information that they argue is relevant to the value of

25   Plaintiffs' names, images, and likenesses. Plaintiffs have taken the position that, *inter alia*, such

26   information is not relevant to the claims and defenses at issue in this case, which suggests that

27   Plaintiffs do not intend to use such information for damages or for any other purpose. Therefore,

28   the parties may benefit from discussing a stipulation regarding what the parties will and will not

United States District Court
Northern District of California

1 argue in this case about damages, which could in turn affect the scope of discovery.

3 **IT IS SO ORDERED.**

4 Dated: January 25, 2016

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   Donna M. Ryu
6 United States Magistrate Judge

United States District Court
Northern District of California

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